

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. 2:18-cv-530
	)	
NORFOLK SOUTHERN RAILWAY	)	
COMPANY, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**NORFOLK SOUTHERN RAILWAY COMPANY’S  
MOTION TO DISMISS ANY REMAINING CLAIM AND REQUESTED RELIEF**

For the reasons set forth in the accompanying memorandum of law, Defendant Norfolk Southern Railway Company (“NS”), by counsel moves this Court to dismiss any remaining claim of Plaintiff CSX Transportation, Inc. (“CSX”) in this case, including any request for injunctive relief under state law, pursuant to Fed. R. Civ. P. 12(c).

WHEREFORE, Defendant Norfolk Southern Railway Company requests that this Court dismiss any remaining claim and requested relief of Plaintiff CSX Transportation, Inc. (“CSX”) in this case, including any request for injunctive relief under state law, enter final judgment in favor of NS on all claims, and grant all other appropriate relief.

Dated: February 7, 2023

Respectfully submitted,

**NORFOLK SOUTHERN RAILWAY COMPANY**

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